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LETTER DATED 10 JULY 1999 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

As you are aware, I am called upon in paragraph 3 of the agreement on security arrangements dated 5 May 1999 reached by the Governments of Indonesia and Portugal and the United Nations (A/53/951-S/1999/513, annex III) to ascertain, prior to the start of registration and based on the objective evaluation of the United Nations Mission in East Timor (UNAMET), if the necessary security situation exists for the peaceful implementation of the consultation process. On 4 May 1999, I conveyed in a memorandum to the parties the main elements that would need to be in place in order to enable me to determine that the necessary security conditions exist for the start of the operational phases of the consultation process, and I subsequently outlined those elements in paragraph 6 of my report to the Security Council dated 5 May 1999. According to the original consultation schedule, the registration was to begin on 22 June 1999. At that time, I reported to the Council that I was unable to certify that the necessary conditions existed to begin the operational phases of the consultation process, given the security situation throughout much of East Timor and the absence of a level playing field (S/1999/705). In particular, I noted that militia activities continued to have a constricting effect on political freedom. I also noted that I wished to allow UNAMET sufficient time to reach full deployment. I therefore postponed my assessment of the conditions for three weeks until 13 July 1999.

UNAMET has made the necessary preparations to begin registration on 13 July 1999. However, while I have reported to the Council that there has been some improvement in the security situation in the capital, Dili, in East Timor as a whole and especially in the western districts of the territory, the security situation remains serious despite the deployment of UNAMET personnel. The recent incidents at Maliana, Viqueque and Liquica involving UNAMET personnel have served to highlight the larger problem of militia impunity. The grounds for our concern have been amply detailed in recent briefings to the members of the Council. It is essential that steps be taken to ensure that the people of East Timor are able to participate in safety and free of intimidation in the popular consultation provided for in the above-mentioned agreement of 5 May 1999.

Over the last two weeks, my Personal Representative for East Timor and my Special Representative for the East Timor Popular Consultation met with senior officials of the Government of Indonesia to discuss the situation in East Timor. The Government reaffirmed its resolve to address the security situation. I have also shared with the Government a list of specific criteria towards which there should be meaningful, visible progress in order for me to make a determination to proceed with the operational phases of the consultation process. These criteria were based upon the elements contained in my above-mentioned memorandum of 4 May 1999, and I remain fully confident that the Indonesian authorities have the capacity to take meaningful steps towards their fulfilment in a short period of time.

There have been some positive developments in the area of peace and reconciliation, such as the intra-East Timorese dialogue begun at the Dare II Peace and Reconciliation Conference convened by Bishops Belo and Nascimento and the accords signed by pro-autonomy and pro-independence groups under the auspices of the Commission of Peace and Stability on 18 June 1999, but the latter remain incomplete and they have yet to bear fruit on the ground. A high-level visit by Indonesian authorities will take place on Monday, 12 July 1999.

Members of the Council are aware of my earnest desire to carry out the responsibilities entrusted to me with all determination so that the people of East Timor can express their wishes as to the future of the territory. UNAMET will make every effort to adhere to the tight time-frame that is available to it. I must, however, weigh my determination to move ahead against the conditions prevailing on the ground.

Accordingly, in order to allow for concrete steps to follow the visit of the Indonesian authorities, I now propose to start registration on 16 July 1999. The requisite certification of security conditions and the opening of registration would be confirmed if concrete progress is made on improving the security situation in East Timor as defined in the criteria. I have informed the Governments of Indonesia and Portugal of this decision, and I will keep the Council fully informed of any future developments.

(Signed) Kofi A. ANNAN

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